

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:16-CR-080
JUDGE SMITH
MAGISTRATE JUDGE DEEVERS**

ERIC LABANO-GABRIEL,

Defendant.

ORDER

On April 29, 2016, the Magistrate Judge issued a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant's plea of guilty to the Information charging him with Illegal Reentry of a Removed Alien Subsequent to a Felony Conviction, in violation of 8 U.S.C. §§1326(a) and (b)(1). Defendant, represented by counsel, waived his right to appear on the matter before a District Judge and consented pursuant to 28 U.S.C. § 636(b)(3) to enter a guilty plea before a Magistrate Judge. The Magistrate Judge conducted the colloquy required by Rule 11 of the Federal Rules of Criminal Procedure. Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact.

Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 14 days of the issuance of the Report and Recommendation pursuant to 28 U.S.C. §636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and **ACCEPTS** Defendant's plea of guilty to the Information. Defendant is hereby adjudged guilty of Illegal Reentry of a Removed Alien Subsequent to a Felony Conviction.

IT IS SO ORDERED.

/s/ George C. Smith

GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT